

## MINUTES

FILED IN THE  
UNITED STATES DISTRICT COURT  
DISTRICT OF HAWAII

5/8/2006 4:30 pm

SUE BEITIA, CLERK

CASE NUMBER: CRIMINAL 05-00220JMS-03

CASE NAME: United States of America vs. America Salomon Perez

ATTYS FOR PLA: Mark A. Inciong

ATTYS FOR DEFT: Clifford B. Hunt

INTERPRETER: Patricia Harpstrite

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JUDGE: J. Michael Seabright

REPORTER: Sharon Ross

DATE: 5/8/2006

TIME: 1:35 - 2:15

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COURT ACTION: Sentencing to Count 1 of the Indictment:

Defendant present in custody with counsel Clifford Hunt.

Memorandum of Plea Agreement accepted.

United States' Motion for a Downward Departure - GRANTED.

Allocution by the defendant.

Imprisonment 36 months; Supervised Release 3 years under the following conditions:

1. That the defendant shall abide by the standard conditions of supervision.
2. That the defendant not commit any crimes, federal, state, or local (mandatory condition).
3. That the defendant not possess illegal controlled substances (mandatory condition)
4. That the defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of commencement of supervision and at least two drug tests thereafter but no more than 8 valid drug

tests per month during the terms of supervision (mandatory condition).

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5. That the defendant shall not possess a firearm, ammunition, destructive device, or any other dangerous weapon.
6. That the defendant shall cooperate in the collection of DNA as directed by the probation officer.
7. That the defendant submit to removal proceedings, including deportation or exclusion as required by the Department of Homeland Security. The defendant shall not enter the United States without proper authorization.

No fine imposed.

Special Monetary Assessment \$100.

Advised of rights to appeal.

Governments Oral Motion to Dismiss Count 2 GRANTED.

RECOMMENDATION: Dublin.

That the defendant participate in the 500 Hour Comprehensive Drug Treatment Program.

That the defendant participate in alcohol treatment.

Submitted by: Dottie Miwa, Courtroom Manager